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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,136	11/20/2001	Ylian Saint-Hilaire	042390.P12982	9435

7590 01/24/2006

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EXAMINER	
PEYTON, TAMMARA R	

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/989,136	SAINT-HILAIRE ET AL.	
	Examiner	Art Unit	
	Tammara R. Peyton	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/7/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Richard, Gonden G., Service Advertisement and Discovery: Enabling Universal Device Cooperation, IEEE Internet Computing, Sept-Oct 2000 (hereafter Gonden).

As per claims 1-44, Gonden teaches a method for controlling a remote device, comprising:

defining a service-specific protocol to facilitate remote control of a service provided by the remote device;

sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network communication link;

sending control commands from the host computer to the remote device based on the service-specific protocol to cause the remote device to perform the service using the data that are sent to the remote device.

Gonden teaches, on page 1, paragraphs 1-4 and page 11, paragraph 4, the use of Universal Plug and play for providing a user with a set of device descriptions and list of associated device services, which allow for selective retrieval of service descriptions, and allow for invoking the control actions via service specific protocols. Gonden further teaches, on page 16, paragraph 4, the use of the XML Schema as defined by W3C, but doesn't teach information organized into categories. W3C teaches the XML Schema as used by Gonden, but further teaches, on page 23, paragraph3, that the XML Schema enables groups of elements (categories) be defined and named. Gonden also teaches the markup language being text based on page 11, paragraph 2, the use of XML which is known in the art to be a text based markup language (see attached definition). The markup language identifies an element with a tag, and wherein the tag is defined in a schema the use of XML which is known in the art to allow for custom tags to offer greater flexibility in organizing and presenting information (see attached definition). Further, Gonden teaches the use of UPnP for audio/video entertainment and the use of Universal Plug and Play for providing a user with a set of device descriptions, each conveying its capabilities, and list of associated device services, which allow for selective retrieval of service descriptions via service specific protocols.

Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Dubal et al., (US 6,711,630).

As per claims 1-44, Dubal teaches a method for controlling a remote device, comprising:

defining a service-specific protocol to facilitate remote control of a service provided by the remote device;

sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network communication link;

sending control commands from the host computer to the remote device based on the service-specific protocol to cause the remote device to perform the service using the data that are sent to the remote device. (Abstract, cols. 2-6)

Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Newlin et al., (US 5,636,211).

As per claims 1-44, Newlin teaches a method for controlling a remote device, comprising:

defining a service-specific protocol to facilitate remote control of a service provided by the remote device;

sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network

communication link;

sending control commands from the host computer to the remote device based on the service-specific protocol to cause the remote device to perform the service using the data that are sent to the remote device. (Abstract, cols. 2-8)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(571) 273-8300

Hand-delivered responses should be brought to:

USTPO, Randolph Building, Customer Service Window

401 Dulany Street

Alexandria, VA 22314.

TAMMARA PEYTON
PRIMARY EXAMINER

Tammara Peyton
January 19, 2006